

Current Class: UNCLASSIFIED
Current Handling: n/a

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(E14)

PAGE 01 BOGOTA 02007 01 OF 02 082233Z
ACTION ARA-00

RELEASED IN FULL

INFO LOG-00 ADS-00 AID-00 INR-07 CIAE-00 NSAE-00 HA-09
L-03 INM-07 INRE-00 USIE-00 JUSE-00 DEAE-00 DS-01
SCT-02 /029 W

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R 082201Z FEB 89
FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC 3112
INFO AMEMBASSY CARACAS
AMEMBASSY QUITO
AMEMBASSY PANAMA
USCINCSO QUARRY HEIGHTS PM

UNCLAS SECTION 01 OF 02 BOGOTA 02007

SOUTHCOM FOR POLAD

E.O. : 12356
TAGS: KJUS, PHUM, PTER, SNAR, CO
SUBJECT: JUDICIAL UPDATE: STATUS OF THE MAJOR CASES

SUMMARY:

1. DEALING WITH THE MAJOR NARCOTICS TRAFFICKERS IS AN ALMOST IMPOSSIBLE TASK FOR THE COLOMBIAN JUDICIAL SYSTEM. AND SINCE ALMOST ALL OF THE MOST SPECTACULAR CRIMES COMMITTED IN THE LAST FEW YEARS HAVE BEEN LINKED TO THE MAJOR TRAFFICKERS, THE CRIMES HAVE GONE UNSOLVED. HOWEVER, AS THE FOLLOWING CASES INDICATE, THE JUDICIAL SYSTEM, LIKE SYSIPHUS, NEVER STOPS TRYING. END SUMMARY

MURDER OF JUSTICE MINISTER RODRIGO LARA BONILLA

2. FOLLOWING TWO MISS-TRIALS OF FOUR ACCUSED ASSASSINS OF THE MURDERED JUSTICE MINISTER, THIS CASE STILL AWAITS UNCLASSIFIED

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PAGE 02 BOGOTA 02007 01 OF 02 082233Z

A VERDICT. TWO OF THE KILLERS ARE IN JAIL. PABLO ESCOBAR, SUSPECTED OF ORDERING THE KILLING, HAS NOT BEEN A TARGET OF SERIOUS JUDICIAL INVESTIGATION SINCE THE FIRST JUDGE THAT CALLED HIM IN FOR A HEARING WAS

Current Class: UNCLASSIFIED

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN L MILLS
DATE/CASE ID: 28 APR 2004 200400772

UNCLASSIFIED

Current Class: UNCLASSIFIED
Current Handling: n/a

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KILLED. SINCE THEN, TWO INVESTIGATIVE JUDGES HAVE OPENED FILES AGAINST ESCOBAR AND RODRIGUEZ GACHA, BUT HAVE NOT FOUND ANY EVIDENCE WITHIN THE ALLOTTED TIME PERIOD AND THE INVESTIGATIONS LAPSED.

MURDER OF NEWSPAPER PUBLISHER GUILLERMO CANO

3. PABLO ESCOBAR WAS INDICTED FOR THIS ONE FOLLOWING A MASSIVE INVESTIGATION BY THE DEPARTMENT OF ADMINISTRATIVE SECURITY (DAS) IN JULY OF 1988. SIXTEEN OTHERS WERE LINKED TO THE CRIME. A TRIAL CAN BE EXPECTED SOMETIME NEAR THE END ON 1989. PABLO ESCOBAR WILL BE TRIED IN ABSENTIA. FOLLOWING ANOTHER THOROUGH INVESTIGATION, THE PERSON SUSPECTED OF LAUNDERING THE MONEY USED TO PAY THE ASSASSINS WAS ARRESTED IN MEDELLIN IN FEBRUARY 1988; HOWEVER, A FEW WEEKS LATER HE DISAPPEARED FROM THE MEDELLIN JAIL.

MURDER OF JAIME PARDO LEAL

4. MEDELLIN CARTEL BOSS RODRIGUEZ GACHA WAS INDICTED IN DECEMBER 1987 FOR THE KILLING OF PATRIOTIC UNION LEADER JAIME PARDO LEAL. A TRIAL BEGAN AGAINST RODRIGUEZ GACHA (IN ABSENTIA) AND SEVERAL OF HIS EMPLOYEES (ONLY ONE OF WHOM IS IN CUSTODY) ON FEBRUARY 3, 1989. THE FIRST REPORTS OF THE TRIAL SAID THE IDENTITIES OF THE THREE-MAN JURY WOULD BE PROTECTED, BUT AS SOON AS THE TRIAL STARTED THEY WERE ALL SHOWN ON TELEVISION. THE TRIAL WILL LAST FIVE OR SIX WEEKS FROM THE TIME PARDO'S

UNCLASSIFIED

PAGE 03 BOGOTA 02007 01 OF 02 082233Z

NEW LAWYER GETS READ IN ON THE CASE. THE FIRST LAWYER QUIT ON THE OPENING DAY OF THE TRIAL COMPLAINING OF DEATH THREATS AGAINST HIM.

MURDER OF ATTORNEY GENERAL CARLOS MAURO HOYOS

5. PABLO ESCOBAR WAS HEARD OVER A CASSETTE TAPE ORDERING THE JANUARY 1988 KILLING OF THE ATTORNEY GENERAL. THE TAPE WAS FOUND IN HIS HOUSE BY THE ARMY IN APRIL. HOWEVER, BECAUSE A SIGNATURE WAS LACKING ON A SUBMISSION DOCUMENT, THE TAPE COULD NOT BE USED AS EVIDENCE, AND THE INVESTIGATION AGAINST ESCOBAR WAS PUT ON HOLD. SHORTLY AFTER THE KILLING NINE PEOPLE WERE ARRESTED AND SIX WERE HELD FOR FURTHER INVESTIGATION. IN DECEMBER 1988, THEY WERE ALL RELEASED BY A MEDELLIN JUDGE FOR

Current Class: UNCLASSIFIED

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Current Class: UNCLASSIFIED
Current Handling: n/a

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LACK OF EVIDENCE.

LA ROCHELA MASSACRE OF JUDICIAL OFFICIALS

6. THE DIRECTOR OF DAS (DEPARTMENT OF ADMINISTRATIVE SECURITY -- FBI EQUIVALENT), GENERAL MAZA, ANNOUNCED THAT EIGHT SUSPECTS IN THE MASSACRE OF 12 JUDICIAL OFFICIALS IN LA ROCHELA SANTANDER IN JANUARY 1989 WERE IN CUSTODY. THREE HAVE BEEN OFFICIALLY CHARGED. TESTIMONY OF THE THREE SURVIVORS HAS BEEN VITAL IN THE INVESTIGATION. A MASSIVE SEARCH IS ON FOR TWO OTHERS, INCLUDING THE LEADER OF THE KILLERS. MAZA SAID BOTH HAVE BEEN IDENTIFIED AND WILL BE IN CUSTODY SOON.

THE LAS NEGRAS AND HONDURAS MASSACRES

7. AN INVESTIGATIVE JUDGE PASSED AN INDICTMENT IN

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PAGE 01 BOGOTA 02007 02 OF 02 082234Z
ACTION ARA-00

INFO	LOG-00	ADS-00	AID-00	INR-07	CIAE-00	DODE-00	NSAE-00
	HA-09	L-03	PM-10	INM-07	INRE-00	USIE-00	JUSE-00
	DEAE-00	DS-01	SCT-02	/039 W			

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UNCLAS SECTION 02 OF 02 BOGOTA 02007

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SUBJECT: JUDICIAL UPDATE: STATUS OF THE MAJOR CASES

SEPTEMBER 1988 AGAINST ESCOBAR, RODRIGUEZ GACHA, TWO
ARMY OFFICERS, AND THE MAYOR OF PUERTO BOYACA FOR
PLANNING THESE URABA MASSACRES WHICH TOOK THE LIVES OF

Current Class: UNCLASSIFIED

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Current Class: UNCLASSIFIED
Current Handling: n/a

UNCLASSIFIED

OVER 40 PEOPLE IN MARCH 1988. HOWEVER, A MONTERIA, CORDOBA JUDGE IN CHARGE OF PURSUING THE CASE THEREUPON THREW OUT THE INDICTMENTS. THE JUDGE IS CURRENTLY UNDER INVESTIGATION. WHEN THE POLICE ATTEMPTED TO ARREST THE MAYOR OF PUERTO BOYACA THEY WERE PREVENTED BY ANGRY TOWNS PEOPLE. THE MAYOR LITERALLY TOOK TO THE HILLS. HE WAS SUBSEQUENTLY FIRED BY THE GOVERNOR OF THE DEPARTMENT OF BOYACA.

SEGOVIA MASSACRE

8. A CIVILIAN OFFICIAL IN CHARGE OF DISCIPLINING THE
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PAGE 02 BOGOTA 02007 02 OF 02 082234Z

ARMED FORCES HAS PROCESSED THE COMMANDERS OF THE LOCAL POLICE AND ARMY UNITS FOR NEGLIGENCE IN THE NOVEMBER 1988 RAMPAGE THAT TOOK THE LIVES OF 42 PEOPLE IN THIS ANTIOQUIA TOWN. IN JANUARY 1989 A CIVILIAN JUDGE IN MEDELLIN ISSUED ARREST WARRANTS FOR THE TWO COMMANDERS (AN ARMY COLONEL AND A POLICE CAPTAIN) AND FOUR SUBORDINATES FOR COMPLICITY IN THE CASE. THEY HAVE NOT AS YET BEEN ARRESTED AS JURISDICTION BETWEEN THE MILITARY AND CIVILIANS IS STILL BEING WORKED OUT.

NARCOTICS CHARGES AGAINST THE CAPOS

9. NARCOTICS CHARGES, BASED ON US EVIDENCE, WERE BROUGHT AGAINST ALL THE MAJOR CAPOS FOLLOWING THE EXTRADITION FROM SPAIN OF JORGE LUIS OCHOA OF THE MEDELLIN CARTEL AND GILBERTO RODRIGUEZ OREJUELA OF THE CALI CARTEL. THE CASE AGAINST RODRIGUEZ OREJUELA WENT TO TRIAL AND HE WAS ACQUITTED DESPITE MASSIVE EVIDENCE PRESENTED BY THE USG. THE GOC HAS ATTEMPTED TO HAVE THE RULING REVERSED BUT WAS TURNED DOWN TWICE, ONCE BY BY THE SUPERIOR TRIBUNAL OF CALI, AND AGAIN BY THE SUPREME COURT. THE CASES AGAINST THE MEDELLIN CAPOS NEVER WENT PAST THE INVESTIGATIVE STAGES, BUT WERE USED AS ONE OF THE RATIONALES TO KEEP JORGE LUIS OCHOA FROM BEING EXTRADITED TO THE U.S. IN DECEMBER 1987 ON THE GROUNDS OF DOUBLE JEOPARDY. FOLLOWING OCHOA'S RELEASE, A MEDELLIN JUDGE CLOSED THE INVESTIGATIONS BECAUSE OF INSUFFICIENT EVIDENCE. THE JUDGE WAS FIRED AND IS CURRENTLY UNDER INVESTIGATION.

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